

REMARKS

Original claims 1 and 2 have been amended. New claims 3-6 have been added to cover details of the present invention. The allowance of original claim 2 is noted and appreciated. Only clarifying changes have been made to claim 2 by this amendment.

In the office action the Examiner objected to the title as not descriptive of the invention. By the present Amendment the title has been changed to "Micro Mode Focusing Apparatus for Digital Still Camera Using Focus Driving Motor." The examiner also objected to the Abstract as using improper language and being longer than 150 words. Corrections to the Abstract have been made in this Amendment.

Further, the examiner objected to the drawings for missing the following reference characters mentioned in the specification: "housing B2", "housing b2", and "housing A1." In response, a new drawing sheet marked "Replacement Sheet" is attached. This drawing includes reference characters A1, B2 and a new character 9. Approval of this drawing is requested. In addition, the specification has been amended to change "b3" to --B2-- for consistency. The examiner also objected that the following reference characters appearing in the drawings are not mentioned in the description: LENS (fig.1) and FL (fig. 2). In amending the specification these characters have been added.

Claim 1 was objected to as being inconsistent with regard to the objects in the various transferring areas, and the Examiner suggested alternative language. This language has been accepted in the current Amendment, so this rejection should be withdrawn. Claim 1 was further rejected under 35 U.S.C. § 103 as being obvious and unpatentable over U.S. Patent No. 5,416,519 of Ohtake in view of U.S. Patent No. 5,969,760 of Ernest et al. Applicant traverses this rejection.

Claim 1 as amended requires that the "transferring means" move both the focus lens and the image sensor along the optical axis. It is clear from Ohtake that the lenses 30 and 31 are moved by motors 54 and 51, while lens 32 is not moved at all. In addition, the image sensor is moved by a separate motor 48. Further, as noted by the Examiner, claim 1 requires that the transferring means

be integrally on the image sensor, which is not the case in the Ohtake reference. To overcome this deficiency, the Examiner relies on the Ernest reference (Figs. 3A, 4 and 5) which show a motor 40 coupled to an image sensor 20 through gears 68, 70 and a wear plate 72. The definition of "integral" is "formed as a unit with another part." (Webster's New Collegiate Dictionary) Clearly the motor 40 of Ernest is not formed as a unit with sensor 20.

Claim 1 further requires a "transferring movement limiting means for preventing the image sensor from movement when the focus lens is transferred in the area defined by the first transferring area defining portion according to the operation of the transferring means." The Examiner essentially relies on the operation of control circuit 43 for this purpose. However, while control circuit 43 may not actively drive the motor 48 for the image sensor once focus has been established, there is no "movement limiting means" which prevents movement. Further, according to claim 1, the movement is prevented when the focus lens is moved in a defined area, not when it is in focus.

For the foregoing reasons, it is submitted that claim 1 is clearly patentable. The remaining newly added claims depend from allowed claim 2 and allowable claim 1, and there for are also allowable. Thus all of the claims are in condition for allowance.

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Respectfully submitted,

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